

**CITY OF EL PASO, TEXAS**  
**DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)**

**DEPARTMENT:** Building Permits & Inspections  
**AGENDA DATE:** April 19, 2005  
**CONTACT PERSON/PHONE:** R. Alan Shubert, P.E.  
**DISTRICT(S) AFFECTED:** N/A

**SUBJECT:**

**APPROVE** a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

**An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by amending Chapter 2.30 (Building Board of Appeals), Section 2.30.060 (Powers) to add the Outdoor Lighting Ordinance (Chapter 18.18) to the list of ordinances which the Building Board of Appeals is authorized to grant variances and hear appeals over.**

**BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action?

**An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by amending Chapter 2.30 (Building Board of Appeals), Section 2.30.060 (Powers) to add the Outdoor Lighting Ordinance (Chapter 18.18) to the list of ordinances which the Building Board of Appeals is authorized to grant variances and hear appeals over.**

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one? If so, when?

N/A

**AMOUNT AND SOURCE OF FUNDING:**

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

(N/A)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**OTHER:** \_\_\_\_\_

(Example: if RCA is initiated by Purchasing, client department should sign also)

*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE EL PASO CITY CODE, BY AMENDING CHAPTER 2.30 (BUILDING BOARD OF APPEALS), SECTION 2.30.060 (POWERS) TO ADD THE OUTDOOR LIGHTING ORDINANCE (CHAPTER 18.18) TO THE LIST OF ORDINANCES WHICH THE BUILDING BOARD OF APPEALS IS AUTHORIZED TO GRANT VARIANCES AND HEAR APPEALS OVER.**

**WHEREAS,** The City Council of the City of El Paso established the Building Board of Appeals to hear and decide appeals of decisions by the Director for Building Permits and Inspections and the Fire Chief, and to grant variances to the requirements of certain municipal codes; and

**WHEREAS,** City Council, on February 8, 2005, adopted the Outdoor Lighting Ordinance (18.18) which provides for an effective date of May 7, 2005 and allows for appeal, pursuant to 18.18.380, to the Building Board of Appeals; and

**WHEREAS,** Building Board of Appeals currently is without power to hear and decide appeals from disputes arising from an administrative interpretation of the Outdoor Lighting Ordinance of the El Paso Municipal Code; and

**WHEREAS,** the amendment listed herein is intended to effectuate City Council's intent in authorizing the Building Board of Appeals to hear and decide disputes arising from an administrative interpretation of the Outdoor Lighting Ordinance; and

**WHEREAS,** the amendments contemplated herein will have no adverse effect on the health, safety, and welfare of the citizens of El Paso.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That Title 2 (ADMINISTRATION AND PERSONNEL), shall be and hereby is amended by revising Chapter 2.30 (Building Board of Appeals), Section 2.30.060 (Powers) subsection 2.30.060.A.1 to read as follows:

The Building Official in connection with administration or enforcement of Chapter 18.02 (Building and Construction Administrative Code), 18.08 (Building Code), 18.10 (Residential Code), International Energy Conservation Code, 18.16 (Electrical Code), 18.18 (Outdoor Lighting Ordinance), 18.20 (Plumbing Code), 18.12 (Mechanical Code), and 18.14 (Fuel Gas Code).

2. Except as expressly amended herein, Title 2 (ADMINISTRATION AND PERSONNEL) of the El Paso Municipal Code shall remain in full force and effect.

**PASSED AND APPROVED this \_\_\_\_\_ day of May, 2005.**

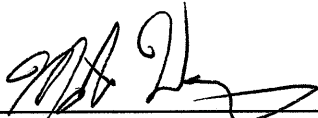
**CITY OF EL PASO**

\_\_\_\_\_  
Joe Wardy  
Mayor

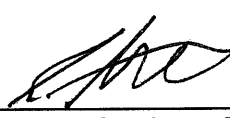
**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Matt Watson  
Assistant City Attorney  
Doc No. 8962

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
R. Alan Shubert, P.E., CBO, Director  
Building Permits and Inspections Dept.